

ZBA CORRESPONDENCE LOG

SEPT 21, 2011

RE: LETTER FROM CONCERNED CITIZENS – 15 GREAT ROAD 40B PROJECT

1. EMAIL SENT FROM PAUL AVELLA 8/11/2011
2. LETTER FROM MARK SKILLINGS DATED 8/17/2011
3. LETTER FROM MARTIN SPICER DATED 8/24/2011
4. LETTER FROM CHRISTOPHER SIMONE DATED 8/19/2011
5. LETTER FROM DARYL BAKER DATED 9/5/2011
6. EMAIL FROM JO ELLEN SLURZBERG 9/12/2011
7. EMAIL FROM JOHN BERGERON DATED 9/12/2011
8. LETTER FROM NANCY LEVINE DATED 9/12/2011
9. EMAIL FROM NANCY LEVINE DATED 9/15/2011
10. LETTER FROM MARK SKILLINGS DATED 9/21/2011
11. EMAIL FROM MICHELLE BARRY DATED 9/21/2011
12. EMAIL FROM ANDREW XIANG DATED 9/21/2011

Jennifer Gibbons

mail # I

From: Sherrill Gould [sherryesq@yahoo.com]
Sent: Friday, August 12, 2011 9:09 AM
To: Paul Avella
Cc: Jennifer Gibbons; Bill Farnsworth
Subject: Re: Omni's 15 Great Rd Filing with the ZBA

Thank you for your input. I will see that this letter gets read into the minutes and disseminated to all members. We have also requested a training session with 40B experts to educate all board members and departments about their role in the 40B process. sherry

Sherrill R. Gould

Gould Law Offices
P. O. Box 752 - 311 Great Road
Littleton, Ma 01460
Ph: 978-486-9566
Fax: 978-486-9434
Private: 978-501-2744

From: Paul Avella <avellap@comcast.net>
To: 'Sherrill Gould' <sherryesq@yahoo.com>
Sent: Thursday, August 11, 2011 8:06 PM
Subject: Omni's 15 Great Rd Filing with the ZBA

Sherri,

I have learned that Omni will file with the ZBA for 15 Great Rd on Thursday, Aug 18. That is step one. Steps two through five appear below. I know that you are aware of the process. I want you to know that I will be involved throughout the process. That said, I'm out of the country on the 18th.

Omni's proposal is wrong for Littleton and even the surrounding Acton area. The proposed buildings would become the tallest structures in our Town, taller even than IBM's building, which is IBM's largest software campus in the world. Somehow, buildings that are taller than IBM's building, just do not "integrate into local development," contrary to what some state officials may think.

Buildings immediately adjacent to the proposed project are two-story, single-family homes; a single-story breakfast/lunch restaurant; a two-story, flat roof office building; and, a single-story daycare center. Four and five story steep-peaked buildings approaching 72 feet simply do not fit.

I ask you to assemble all legal options to defeat Omni's proposal, to vociferously defend our way of life in our Town, and to vote against Omni's proposal when it comes to a vote.

Thank you,
PJ

Step 2: A formal application is filed with the ZBA

Upon issuance of the site eligibility letter from the lender, a formal application to the Zoning Board of Appeals is submitted by the applicant. The Zoning Board of Appeals is the permit granting authority under Chapter 40B of the Massachusetts General Laws, to hear and act on applications for low and moderate income housing. The Zoning Board of Appeals is authorized to apply more flexible

standards than the strict local zoning by-law requirements. It is important to note that State statutes and regulations, such as the Wetlands Protection Act, Title 5, and all building codes, remain fully in effect under the comprehensive permit.

Step 3: The ZBA notifies local boards

The Zoning Board of Appeals officially notifies the applicable local boards and requests their comments and recommendation on the proposal. The applicant will be asked to meet with other boards and officials (e.g. Fire Chief, Chief of Police, Selectmen, and the "Development Review" team, various members of municipal government including representatives from the Planning Board, Board of Health, School Department, Conservation Commission offices, etc.). Following the meetings the boards and officials are asked to provide written input to the Chairman of the Zoning Board of Appeals. Within thirty days of the receipt of the application, the Board of Appeals will hold a series of public hearings to consider all aspects of the application. Abutters to the property will be notified by mail of the initial hearing.

Step 4: The ZBA holds a series of public hearings

The Chairman of the ZBA is responsible for the proper conduct of the hearing.

When necessary, the Zoning Board of Appeals may engage the services of one or more consultants to review the project, at the applicant's expense. These

consultants may review traffic, safety, parking, wastewater treatment or other environmental studies. It is important to note that the consultants hired by the ZBA represent the town. Outside consultants often provide information that assists parties in reaching consensus on a design that meets the applicant's economic needs while satisfying the Town's needs for protection of public safety, natural resources, and neighborhoods. The town's consultants will offer their comments and concerns. The proponent's consultants will address those comments and concerns. This process is a back and forth dialog that often results in changes to the original plans that will hopefully make the project better for all involved.

Generally, neighbors are appropriately concerned about the impact of comprehensive permit projects. It is important to note that the objective of the early hearings is to understand site characteristics, neighborhood issues, public safety issues, and the applicant's general concept for the development, and generally, public comment is restricted. There is ample time in the hearing process for residents and abutters to the project to comment.

Although oral public comment is invited by the board during designated times, the public is invited to comment at any time, in writing, by sending letters to the ZBA's office. Those letters become a matter of public record. At any time during the hearing process, the public is invited to review any and all public records pertaining to the project. These records include, but are not limited to, all site plans and schematics, all correspondence between the Review Team and the proponent, traffic plans, environmental plans, all public comment letters, and any other document that has been submitted to the ZBA to be included in the public

record. Although not required, it is recommended that interested residents email or call the office prior to a visit in order to receive the best service. Copies of records are available upon request for a fee, but may be reviewed at Town Hall for free.

The public hearing typically continues for several months while concerns are explored and addressed. After the review is complete and the hearing is closed, The ZBA has forty days to issue a decision unless such time period is extended by written agreement of the Board and the applicant.

Step 5: The ZBA issues a decision

The ZBA has several options. They may:

- approve the project as submitted.
- approve the project with conditions or change.
- deny a comprehensive permit as not consistent with local needs (only under certain conditions.)

The ZBA may impose conditions, safeguards, and/or limitations as part of its approval of any application.

If the application is approved, a Comprehensive Permit is issued. The applicant must still obtain various permits required by state statutes, such as wetlands protection, state highway access permits, and a local building permit. The comprehensive permit allows the applicant to fill out one application to streamline the review process by local boards – it does not allow the developer to circumvent important environmental and safety regulations.

Paul Avella

781-354-7235

Littleton Zoning Board of Appeals
 Chairperson Sherrill Gould and all members
 Littleton Town Hall
 Littleton, MA 01460

August 17, 2011

We need your help.

15 Great Road is a huge mistake. It is the wrong development, in the wrong place and of the wrong scope. By now I am sure you have seen the litany of resident and official concerns about this project. From safety, to blatant misrepresentations by Omni as to building heights and traffic, to hiding information from town officials and abutters, to flat out lying about certain aspects of the project. Add to that the costs to the town for water, police and fire services, education and on and on. Some 60+ pieces of documentation, not just from Littleton but also from representatives in Concord, asking Mass Dev to deny the project for a score of reasons. And by now you also know that Mass Dev simply did not do their job by approving Omnis permit in near record time – 3 weeks - versus months to a year for projects of similar complexity. *(perhaps we should not really depend on MASS Dev to make proper decisions since they are also the ones who also extended some \$450m in funding, some \$57m of it FREE, to Evergreen Solar only to have them skip town and then filing Chapter 11 leaving the Commonwealth of Mass as its largest single creditor Wall Street Journal August 16, 2011)*

Even our elected officials such as Rep Arciero and State Senator Eldridge did not do their job to protect their constituents and have turned their backs on the voters of Littleton even after a personal visit where they cited the safety issues this project would raise as “significant”. Everybody seems to be taking an approach of “well it’s not in MY backyard, so let’s go off and give Omni what they want”. I respectfully submit that this time, that is not good enough. Someone must step up and make the tough choices to do their job and I am afraid that responsibility now rests with you.

We have seen Omni repeatedly show a wanton disregard for the town needs and those of the abutters. The costs to the town in dollars will be substantial. The costs to the residents created by the significant safety issues could be immeasurable. Anyone walking Grist Mill Road will see immediately that it is simply a matter of time before tragedy strikes when one takes into account some 1500 additional car trips a day (est by Chief Kelly) around corners, with little or no sidewalks, through a residential area built to serve just a few dozen single family residences but which the developer seeks to open to thousands of additional car trips as they try to avoid entering and exiting a blind curve on an already overtaxed stretch of 2A/119. Not to mention the safety of the pedestrian traffic on Nashoba Road as these same cars zip their way to pick up Route 2 or rush to catch their train. Omnis response to these concerns AND I QUOTE “It is not our responsibility to improve town assets” *[even though it is their project that creates the need for immediate improvement in the first place. In other words, if this project is denied, many of these improvements can be budgeted and scheduled over a much more reasonable time horizon]*.

This development has headlines and obituaries written all over it. And not the headlines Littleton wants.

As a brief contrast, I was walking the 15 Great Road site with my dog a few weeks ago and spotted what BOTH Mass Fisheries and Wildlife and Mass Audubon have said are juvenile Bald Eagles. From Tom French, PhD at Mass Fisheries and Wildlife (who happens to be the one responsible for granting a waiver to Omni re: Blus Spotted Salamanders on site in return for a substantial research donation) - *The bird you saw was probably a juvenile Bald Eagle. We now have 40 nesting pairs across*

the state and they can be seen anywhere. You are right: they are huge. In fact, Mass Audubon has said there are already numerous sightings of Bald Eagles “fishing” in Nagog Reservoir.

From Linda Cocca at Mass Audubon – *“In recent years, as Bald Eagle numbers increase in Massachusetts, I have received a number of sightings of Bald Eagles “fishing” at Nagog Pond”.*

Imagine using the area of 15 Great Road to spot these marvelous creatures instead. Those are the types of headlines we want. Unfortunately, Bald Eagles are only protected if they are nesting and there is, as of yet, no evidence of nesting pairs in this area. And if 15 Great Road goes through as planned by Omni, that will never happen. But again, this is just an aside. The fact is this is the wrong project in the wrong place.

Just because Mass Dev has not done their job and given this a rubber stamp approval does NOT mean that the Town of Littleton is obligated to roll over and capitulate to all of Omni demands. It means that now more than ever, we, and you must do our jobs. As a long term citizen (28 years) I am asking the ZBA to do everything in its power to either stop 15 Great Road, or at the least, make them size it to the footprint of the property by denying variances that allow Omni to squeeze 100 lbs into a 5 lb bag. There is ample land on the property to allow sensible development that does not increase the town’s population by 7% (I am sure you know that it took Littleton 10 years to grow the last 7%, and look at the growing pains and tax increases that increase created) with its concomitant increases in town services – all at the taxpayers’ expense – while creating a safety nightmare for the residents of Grist Mill and surrounding neighborhoods via access to Grist Mill by a residential house lot. Please. Do your job. Use every tool in your toolbox to defeat this project.

Sincerely,
Mark Skillings
30 Surrey Road
Littleton, MA 01460
978-486-4270

#3

Martin Spicer
64 Grist Mill Road
Littleton, Massachusetts 01460

August 24, 2011



Ms. Sherrill Gould, Chairman
Zoning Board of Appeals
Littleton Town Offices, Room 306
37 Shattuck Street, P.O. Box 1305, Littleton, MA 01460

Dear Ms. Gould,

Reference Fifteen Great Road Littleton – Omni Development

I'm writing to you concerning the proposal by Omni Development to construct six apartment building on a site at 15 Great Road Littleton under the 40B statute. Unfortunately, because of a long standing commitment, I will not be able to attend the public hearing on September 15th, however I wish to add my concerns to those you will probably hear at the meeting.

In my opinion there are two areas which, either by omission or design, were not properly addressed by MassDevelopment when they granted their letter of agreement for the project to proceed.

Firstly, as you probably know much of the angst about this project focuses on the planned new roads and the resultant traffic safety. What you may not be aware of is the Fifteen Great Road project provides these new roads to enable Omni Development to build additional projects in the same location.

When Mr. David Hale from Omni presented their 40B proposal to the Board of Selectman on April 27th he stated there were two developments he was involved with. According to Mr. Hale the 40B development will encompass 23 acres of 48 acres Omni currently control.

At that Board of Selectman meeting, and also at a meeting for abutters two days later, Omni's plans for the 40B were repeatedly described as "conceptual". The plans for the remaining 25 acres were described as completely undefined and Mr. Hale encouraged us to believe nothing would happen until after the 40B development was completed.

So it was somewhat surprising that, in less than one month, Mr. Hale and his Omni colleagues had scheduled a meeting with the Littleton Planning Board to address those remaining 25 acres with a high priced housing sub division. Omni have another meeting about this new sub division scheduled with Littleton's Planning Board for September 8th.

The new road will also support this sub division resulting in even more than the daily 1500 traffic movement Littleton Police currently estimate from the 40B development alone.

For the record about their accessing Grist Mill, the road surface is just 24 feet wide and currently supports only 58 houses – half without any sidewalk. I'm specific about this point because Mr. Hale has stated the Grist Mill road layout is different and much wider than it actually is. Mr. Hale's statements would seem to be based on a very old plan which is nothing like what was actually built.

Second, it's impossible for me to imagine how four and five story apartment buildings are considered "generally appropriate for the site" when they are within a stones throw of single family housing. And yes, I know Mr. Hale sometimes says three and four story apartment buildings but he uses semantics and omits the parking underneath.

Given it's such a short distance between properties, I think it's completely disingenuous for Mr. Hale to suggest "topography" and "vegetation buffering" will suffice. Hiding a seventy foot high apartment building from view with some bushes just isn't plausible.

In my opinion Fifteen Great Road is conceptually an admirable project to help provide affordable housing for those in need. But I'm not at all clear whether this is the objective of Omni Development - who avoid being specific about their actual intentions (conceptual), and the veracity of their statements leave me wondering if I should suspect more than they indicate.

It would seem to me this might just a cynical abuse of 40B to get a road built that provides access to 100s of acres of otherwise inaccessible forestry Omni would like to tear down.

In view of this I would strongly urge you, the Zoning Board of Appeals, the Littleton Planning Board and others (as you believe appropriate) to close the loop with Omni Development and look at all the land, and all the plans in their entirety (not individually) to get a clear picture of where this is really leading.

Sincerely,

A handwritten signature in dark ink, appearing to read "M. Spicer". The signature is fluid and cursive, with the first letter "M" being large and prominent.

Martin Spicer

#4

August 19, 2011



Mrs. Sherrill Gould
Chairman
Zoning Board of Appeals (ZBA)
Town of Littleton
37 Shattuck Street, Room 306
Littleton, MA 01460

RE: 15 Great Road/200 Unit Development

Dear Mrs. Gould,

I am writing to you in regard to the proposed 200 unit apartment complex proposed by OMNI properties and partners.

We left the ZBA meeting of 18-August particularly impressed with the manner in which you conducted the meeting. Given the tremendous community opposition to the scope and scale of the Applicant's proposal, and the potential long term negative impact for Littleton, animosity and tension levels are high, yet you were able to communicate very effectively with the various stakeholders.

We were pleased with your decision to accept a full and fair Application Fee. That request alone reflects the Applicant's character. They are proposing a massive commercial enterprise from which they will profit significantly as a result of scale, yet they felt justified in requesting a discounted application fee which is a simple calculation based on a reasonable fee per unit. The Board was correct in stating that it will bear extraordinary costs and expenses through this process as a result of the unprecedented scope and scale of the development. Of course, insufficient fees collected would have resulted in further taxpayer burden.

Many other residents of Littleton have already written to you and expressed significant detail and reason as to why the ZBA should not look favorably upon the many waivers and exceptions proposed by the Applicant. Recognizing this, and the fact that the ZBA's time is valuable, I will exercise brevity in this letter.

The Applicant is proposing a development that will impact every resident of Littleton for many years to come; perhaps with the greatest burden being placed on its students and taxpayers. As you are aware, the costs range from the tangible (e.g. schools, water, roads, emergency services, and other

(cont.)

(cont.)

town services) to the intangible (e.g. preserving the heritage of our town, protecting the environment, and limiting traffic). Omni's mindset and ultimate motivation has been clearly displayed: they want to shorten their development time and maximize their profit while minimizing their expenses at every step possible (from submittal of their application, to principle use provisions, to construction of the roads, to parking, recycling, open space, set-backs, conservation requirements, and beyond). Clearly for them this is only about dollars; for us, this is about community and family.

We have attended other Town meetings including those of the Board of Selectmen and the Planning Board. We left those meetings similarly impressed with the quality of our Town Leaders. We also left concerned about Omni's apparent strategy to use disinformation as they have demonstrated a pattern of delivering and/or promising different information to the different Boards and audiences under the guise of a "fluid process". They are exploiting the gaps and spaces they perceive to be inherent in the structure of Town government. **The fact that the ZBA accepts the importance of conducting a joint session of the Boards is very meaningful – thank you!**

We have confidence that you will not allow the ZBA, or by extension the Town of Littleton, to fall victim to the efforts of OMNI/15 Great Road LLC and partners. This Applicant is trying to manipulate the worthy ideal and aspiration of affordable housing (which the Town of Littleton clearly embraces as reflected in our 8.37%+ ratio and other approved projects which could propel us even further forward); in doing so, OMNI, etc., are abusing the State's 40b regulations and treating such as a license to steal. We have a right and a responsibility to fight back and to say, "No"!

Please reject this assault on our values and the long term well being of our community. At the very least, please enforce our laws and regulations to reduce the scope and size of this proposal within the realm of the reasonable and through the lens of the ethical.

Sincerely,



Christopher Simone

18 Surrey Road
Littleton, MA 01460

Daryl Baker
71 Grist Mill Rd
Littleton, MA. 01460
September 5, 2011



Littleton Zoning Board of Appeals
Littleton Town Offices
37 Shattuck St
PO Box 1305
Littleton MA 01460

Dear Board Members:

I am a 10 year resident of Littleton, and I am writing to express my concern about the development proposed for 15 Great by OMNI Development under Massachusetts 40B law. I support the principal of this law in facilitating affordable housing in Massachusetts and our community. However, it is a travesty that the developer is proposing such an oversized development for Littleton. And furthermore the state dismisses the tremendous work of your board and the town in facilitating the approval of 4 other 40B developments in the past 5 years to bring Littleton to within 40 units of the 10% requirement.

I am writing to express concern on the following areas of the proposed development as outlined in Mass Housing Guidelines for 40B review: 1) Relationship to adjacent building topology, 2) Relationship to adjacent streets, and 3) Safety and other issues.

Relationship to adjacent building topology

In Mass development's Handbook Approach to Ch 40B design reviews, available from the Mass gov. website at: <http://www.mass.gov/Ehed/docs/dhcd/cd/handbook-ch40b/handbook-approachtoch40b-designreview.pdf> I quote the following guidance:

- Generally, a Project is developed in the context of single family dwellings and introduces a different form of housing into the neighborhood. Assuming that this is the case, it is important to mitigate the height and scale of the buildings to adjoining sites. In this context, it is particularly important to consider the predominant building types, setbacks, and roof lines of the existing context.
 - The massing of the Project should be modulated and/or stepped in perceived height, bulk and scale to create an appropriate transition to adjoining sites.
 - Where possible, the site plan should take advantage of the natural topography and site features, or the addition of landscaping, to help buffer massing.

The proposal includes five 3 story buildings and a 4 story building, when examined in detail, the 4 story building is 5 stories with a height of 72 feet. Many of the 3 story buildings are 4 stories from one side. Below is some sample photos of the surrounding buildings and adjacent neighborhood at Grist Mill.



2 Story Office Building



1 Story Nagog Mall



1 Story Day care



1 Story Restaurant



Abutter house on Manion Place



Abutter house on Grist Mill



Abutter house on Grist Mill

Proposed Building:



The size of the buildings shows no consideration of the surrounding area. The development has the 4/5 story building directly adjacent to the one story day-care center.

From the Grist Mill side, the developer has proposed 3 story buildings directly adjacent to the 2 story neighborhood, and further proposes no mitigations to the visual impact to the abutters. The proposed development fails to make even the most basic accommodations to the surrounding buildings. The mass of the buildings, the intensity of development on the site places it out of scale.

Even in the developed Mall, the buildings are not massive units that dominate the height scale of the area. The 3 story office buildings are pushed further up the road and masked by the landscaping and topology. From the residential area, there is no sight-lines to the 3 story buildings. Clearly the developer of Nagog Park showed respect of scale and development next to the residential areas.

I ask the same consideration be performed for this development.

This development should be scaled down in size to 2 story buildings with the larger 4 story building reduced to at most 2 stories with significant buffering to minimize the visual impact to the surrounding buildings.

Relationship to adjacent streets

From Mass Development's handbook, I quote the review criteria:

"the manner in which the buildings relate to adjacent streets is critically important. Massing should take into account the pattern of the existing street frontage as well as maintain a human scale by reasonably relating the height of buildings to the width of the public way."

The adjacent street to the proposed development is Grist Mill, a residential neighborhood of 60 homes, on a 24' minor street. The homes are generally 2 story along the direct abutters, and 1 story in the "old" Grist Mill section. The homes are on 1 acre lots, with 150' frontage.

The proposed development is one that packs the maximum density allowable by Chapter 40b, there is no consideration of the surrounding residential streets. The proposed development presents a huge visual impact with massive buildings dominated by unscreened parking lots. There is a continuous section of over 1000 ft of parking lot along the proposed road. This is not visually compatible with any residential area, let alone the neighboring streets.

The developer should be required to reduce the scale of the buildings and minimize the dominating parking lots. *I respectfully request you require the developer to implement a more creative layout of the parking around the buildings to provide visual shielding and variety.*

The scale of the 4 story building is imposing, from the topology diagrams provide in the review package, the building will present a front facade of over 54 ft as one walks up to the main entrance. This is over twice the height as one walks up to an existing abutting residential unit. Again, the developer does not take into account the pattern of the existing street frontage as well as maintain a human scale by reasonably relating the height of buildings. Also, complete financial analysis will indicate the a downscaled project is still financially viable. *I respectfully request you require the developer to scale down all building to 2 stories.*

Safety issues

My primary concern in this development is traffic safety with the proposed connection to Grist Mill and safety of the residents of the development.

Grist Mill Road consists of 2 distinct sections "Old Grist Mill", a minor street with NO SIDEWALKS, a 22 to 24 paved Right of Way (ROW), a steep hill and blind corner. This section of road contains 2 side streets, Drover Lane and Farm Pond. "New Grist Mill", sometimes referred to as the "Apple D'or" section, is a minor street with a sidewalk on one side. This section also serves houses on Surrey Road, combined this MINOR street serves approximately 75 houses.

The existing condition of Grist Mill is a minor street at the FULL design capacity. Currently the blind corner in old Grist Mill is a significant safety issue for people walking. There is no sidewalks and people must walk in the street, there is numerous daily close-calls with cars coming very close to children playing, people walking their dogs, or two cars taking the corner at the same time. It is simply amazing that no one has been hurt.

Thus any significant development that adds traffic to Grist Mill Rd, presents a SERIOUS SAFETY issue to the residents.

The developer has proposed a connecting road that would provide access to the 40b residential complex. With 200 units, this would funnel more traffic onto Grist Mill than all of the houses currently served by the road. As one looks at the layout of the parking lots, the 3 upper lots are situated to route traffic towards Grist Mill Rd. As one leaves the upper lots, you need to take a reverse 270 degree turn to exit via Great Rd. With NO CONSIDERATION about the impact to

the adjacent street nor the SAFETY of the residents, the developer has proposed adding significant traffic to a minor road.

The Chief of Police has expressed significant issues with the proposed connection to Grist Mill, concerning safety, sightlines, traffic and general inappropriateness of connection. The location of the connection is on in the middle of an S-bend with limited sight distances, a sidewalk crossing and a vernal pool. A copy of his letter to the selectman is attached.

In review of other 40b projects, it is within the purview the ZBA, to not require a connecting road. There is 3 clear options available to MITIGATE the traffic SAFETY issues to the residents of Grist Mill and the development.

- 1) Secondary egress though Nagog Park. Require the developer to gain secondary access via Nagog park. **The ZBA should consider requiring primary access via Nagog**, as there is a signal on Great Road that would significantly enhance the safety of the development's residents. Great Road has sight line issues, the speed is 50MPH, and other issues cited by the Chief of Police in his letter to the selectman. Copy attached for reference.
- 2) Emergency gated access though Nagog Park. Require the developer to provide a gated emergency access connection via Nagog.
- 3) Emergency gated access though Grist Mill Rd. The ZBA in the "Village on the Commons" project approved a single access road in excess of 750' with GATED EMERGENCY access to Robinson Rd. This approach would address the SAFETY issue Grist Mill, while providing the needed emergency access.

In summary, I accept that as Massachusetts Chapter 40b law is written the ZBA will most likely approve some form of development on the site. I respectfully request, for the reasons cited above, the ZBA down scope the size of the development to 2 story buildings with lower building density and not require a road connection to Grist Mill, with secondary access accomplished via gated emergency access.

Sincerely,



Daryl Baker

Memo

To: Littleton Board of Selectmen
From: Chief John M. Kelly
CC:
Date: 16 May 2011
Re: 15 Great Road, Omni Development

Members and Interested Parties,

Upon further review of this proposed project I would like to offer additional comments from the policing/public safety point of view.

1. **Calls for service:** Over a twelve month period the Littleton Police Department responds to Pondside Apartments, our only reference of comparison, an average of 140 times. These responses include domestic violence, neighbor disputes, suspicious activity, larceny, unwanted guests, intoxicated persons, drug activity, medicals, etc. Pondside Apartments is a complex consisting of 90 apartments and in considering the proposed 200 apartments at 15 Great Road it would be a realistic estimation that the police would respond to that location approximately 300 times per year.
2. Upon viewing the proposed entrance/exit to the development, and in particular the site distances, I observed the following:
 - Looking east when exiting there is a site distance of approximately 150 feet. Prior to that point of site there is a significant dip in the roadway in which you lose sight of vehicles depending on their profile. As a result you may be able to see to the traffic light at Nagog, but you do not know what is going on between that point and the 150 foot sight distance point. You also cannot see the vehicles coming out of Nashoba Road and travelling west, towards you.
 - This is a concern as the entrance/exit is within a 50 MPH zone and at 50 MPH it would take a vehicle approx. 175 feet to come to a complete stop. As a result of the traffic light east of the location there is a tendency for vehicles to speed up in order to "make" a yellow light and, in addition, it is not unusual to have vehicles travel at 55 – 60 MPH through that area. This obviously compounds the matter of site distance.
 - A turning lane on Route 119, from the east, would be necessary in order to allow for safe turning movements into the development by westerly traffic.

- It is unknown how many additional accidents the police and fire departments would be responding to due to the challenges of the proposed entrance.
3. The development plan includes an access point onto Grist Mill Road in the area of # 72, which is a vacant lot. Upon sitting in the existing entrance to that lot it is apparent that it is a totally inappropriate point of access for the amount of traffic that could potentially utilize it (Some fraction of the total 1500 trips for the proposed development.)
- There is a site distance of 150 feet (at the most) in either direction.
 - Each direction presents a blind corner at the point of site distance as the proposed access is located in the middle of an "S" curve bordered by a hill on the eastern side and vegetation on the western side.
 - The sidewalk changes from one side of the street to the other directly adjacent to the proposed point of access.
 - The existing construction conditions of Grist Mill Road is inadequate to handle more traffic than would be present at build-out for the Apple D'Or development as it was not constructed to the specifications of a collector street.
4. I believe it would be an accurate statement that the approval of this development, as proposed, would have a significant impact on the quality of life of the residents of the Apple D'Or and associated neighborhoods. It is a fact that such issues cause tensions between those that are causing the erosion of quality of life and those that experience it. Due to this I believe that the Littleton Police Department will be required to have a daily presence in the neighborhood proactively as well as reactively in order to deal with those matters.

#6

Jennifer Gibbons

From: Jo Ellen Slurzberg [jslurzberg@yahoo.com]
Sent: Monday, September 12, 2011 9:48 AM
To: Jennifer Gibbons
Subject: Zoning board meeting 9/28

Dear Jennifer,

I understand you have postponed the meeting from the 15th to the 28th. The 28th is the first night of Rosh Hoshanah and it is inappropriate for a town meeting to be scheduled on this night or any for the remainder of that week. This is the holiest day of the Jewish year. Thank you.

Jo Ellen Slurzberg 77 Grist Mill Road

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Jennifer Gibbons

From: Sherrill Gould [sherryesq@yahoo.com]
Sent: Monday, September 12, 2011 1:25 PM
To: jslurzberg@yahoo.com
Cc: Jennifer Gibbons; Keith Bergman; Tom Harrington
Subject: Re: Omni

Hello,

As you know, I am chair of the Board and I am quite embarrassed because, being Jewish, I should have double checked the date and I take full responsibility for the mistake..

We have, as you suggested, rescheduled again to Tuesday, September 27, 2011, in respect of the holiday and I appreciate your bringing it to our attention. My apology for the error

All the abutters will receive new notices, and there will be a new publication in the Lowell Sun and a front page box in this week's Independent, but could you please assist me in making sure the abutter's sign at the corner of Grist Mill is also posted. Thank you.

Sherrill R. Gould
Gould Law Offices
P. O. Box 752 - 311 Great Road
Littleton, Ma 01460
Ph: 978-486-9566
Fax: 978-486-9434
Private: 978-501-2744

Jennifer Gibbons

7

From: John Bergeron [john_bergeron@verizon.net]
Sent: Monday, September 12, 2011 8:49 AM
To: Jennifer Gibbons
Cc: john_bergeron@verizon.net; the.bergerons@verizon.net
Subject: Concerns regarding 15 Great Road Application from an abutter



92 Grist Mill Road
Littleton, MA 01460
September 12, 2011

Littleton Zoning Board of Appeals
Attn. Jennifer Gibbons, Sherrill Gould - Chairman
Littleton, MA 01460

Dear Ms. Gould and Ms. Gibbons

Per this e-mail please make a copy of this letter available to each member of the Zoning Board of Appeals for the 9/28/11 meeting and the 15 Great Road Comprehensive Permit application discussion

I am an abutter to the proposed property / road and request that you reject the application connecting Rt. 119 and Grist Mill Road for the following reasons to name a few:

- 1) Safety – I have great concern about the insufficient line of sight proposed intersection of the new road and 119. There are already turn difficulty issues near this location and I believe the number of accidents would increase. Has an independent traffic study been completed during multiple times of the year across all affected roads?
- 2) Connecting this new street to Grist Mill will add too much traffic to the existing street, which is not a collector road. Grist Mill is currently home to many families with small children.
- 3) The 28 Waivers requested by 15 Great road ranging from avoiding making submittals to the Planning Board to extensive parking waivers to a categorical disregard from the local wetlands regulations. I suggest we review each waiver request.
- 4) Proposed road could be rerouted to be considerate of the abutters and relative proximity to existing homes.
- 5) From a heritage perspective – does Littleton want this building to be the tallest in the town by 20 feet? As a resident I do not want this to be the case.
- 6) Open items from Planning Board have not been addressed (e.g. Open area plan) have been ignored by the applicant – as stated in their own letter dated 8/12/11. This does not demonstrate good faith.
- 7) A number of additional items identified in the Board of Selectmen letter addressing issues such as: Potable Water Capacity, School, Heritage issues.

Please make this e-mail available to the entire board:

Sherrill Gould, Chairman	2013
Bill Farnsworth , Vice-Chairman	2013
Jeff Yates, Clerk	2014
John Cantino,Ast..Clerk	2014
Cheryl Hollinger, Member	2012

Alternates:

Rod Stewart, Alternate	2013
Marc Saucier, Alternate	2013
Alan Bell, Alternate	2013
Patrick Joyce, Alternate	2014

While I have many more concerns these are my primary reasons. I plan to attend the recently rescheduled 9/28/11 meeting and will see you there if would like to ask me any questions.

John P. Bergeron
John_Bergeron@verizon.net
H 978 486 0150
C 781 654 5706

John P. Bergeron
John_Bergeron@verizon.net

#

RECEIVED
SEP 12 2011
By: 49 Grist Mill Road
Littleton, MA 01460
Sept. 12, 2011
978-486-3347

Sherrill Gould, Chairman of the Zoning Board of Appeals
Members of the ZBA
Shattuck Street
Littleton, MA 01460

Dear Sherrill Gould, Chairman, and Members of the ZBA:

We are requesting that the Zoning Board of Appeals, reject both of the Omni projects, 15 Great Road, Chapter 40B and the subdivision, as it is currently being proposed.

We are very disappointed in Mass Dev, CEO, Ann Howard, her staff, and her many inconsistencies in making the decision to approve Omni's plans. Not one of them even set foot on Grist Mill Rd. One of her many erroneous statements is "integration into existing development patterns." You're kidding right? They could not have been more wrong. Did any of them even look at this situation? I can't see how they did. They did not address many of the problems listed in this letter including any environmental and historical/archeological issues. There are many issues and we will address just some.

We are very passionate regarding this subject because we have been battling this topic for a very long time, 15 years and counting. This is all regarding 15 Great Rd., and Omni's current plans for development. There might be different developer names listed for this one, but in fact, some are the very same people who were involved in other proposals.

There many issues involved here. Going back 15 years to now, developers have looked to develop the area known as 15 Great Rd. The particular area in question, lot 56A, is in the Apple d'Or subdivison. This lot was designed for a house, not a road. Several attempts have been made in the past, regarding access right here, and have **ALWAYS been denied** by our Town boards for several reasons. # 1 is **Safety**. This is huge problem and it's a very real problem. I will repeat....**this is a house lot and should only be used as one**. This area was an approved subdivision. **It would not have been approved if Lot #56A was to be a road or even to be an access road.**

According to the MA Historical Commission, "portions of the project area are considered to possess a strong likelihood of containing significant archaeological deposits." "The 17th-century Nashoba Plantation, a local Native American community, was established in this part of Littleton, and it is possible that the project area may contain historic-period Native sites." (letter dated April 29, 1996, from the Commonwealth of MA, Brona Simon, Deputy State Historic Preservation Officer, MA Historical Commission)

Let's not forget environmental issues. The Division of Fisheries and Wildlife and NHESP is already very much involved with protecting endangered spies right where this proposal is planned. "No work, including soil or vegetation alteration, associated with the Proposed Project may occur until the completion of the MESA review process." (letter dated March 2, 2011, David Hale, Omni)

Please see the Planning Board minutes from May 16, 1996. Mr. DiCarlo was asked if he "planned to honor all the protective Covenants that go with the property. Mr. DiCarlo replied that he would follow the letter of the law." See Planning Board minutes Jan. 30, 2003, paragraph G. "No lot on Grist Mill Rd., will be used for access to possible future development on adjacent parcels (Assessor's Map U-1, Parcels, 2, 3, 4, 5, 6, 7, 8, and/or.....) Lot 56A!!!!

The reason that 56A is needed as an access road to 15 Great Rd., is because whatever the developers want to put in, is much too big for the area. Nagog Park is already a busy business area, and for some reason, Nagog won't give them access. There are also 430 apartments in the back, called Avalon, which is just ½ a mile this new proposal, and some are 40B. You want to talk about other problems, please read on.

TRAFFIC, is a huge safety issue right here. This additional traffic, to an already very congested two-lane road Rt. 2A/119, will be horrendous. Hundreds and hundreds of additional car trips will be added the existing problem, right there on the Littleton/Acton line. There is no way the Fire Dept., and/or Police would be able to get to a situation right there during rush hour traffic. Then asking for access to Grist Mill Rd. is unacceptable. There is a potential problem of 1200-1500 cars daily. I'm sure that you realize that Omni can only develop this property if they can use Grist Mill Rd. as an access road. **That's why developers have been told "no" to other plans for the past 15 years. And now, they found a loop hole....Chapter 40B.**

The size of the project is way out of proportion to the area in question. The density, size, and number of units for the acreage is just too big. IBM, located on Rt. 110, is only 3 stores high. Businesses, and Avalon Apartments are only a scant 1/2 - 1 miles away from this proposal, depending on where you are. What is Omni thinking?????? They are not concern with TRAFFIC and SAFETY issues. That will become Littleton's entire problem.

The burden on the Town will just about explode with additional concerns: water, schools, police, fire, highway dept., traffic, safety, etc. **Let's not forget the Town of Concord and their water concerns with their reservoir just across the street.** Concord notified the State separately. **The there is Vinebrook in Westford, right in back portion of this project. They rely on their wells.** (see Planning Board minutes March 14, 1996)

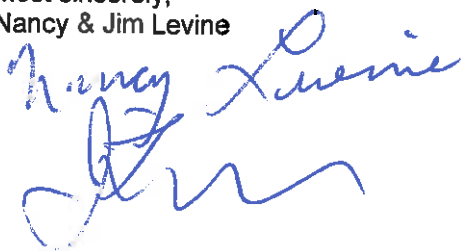
One must remember that the Town of Littleton is a small town compared to others. We don't have the land available to put up a project this size. We are very close to reaching the 10% goal for 40B and were almost there except for some unfortunate failures.

Omni needs to make major changes. David Hale, Omni, has already told some of us that he wouldn't want this next door to them. Interesting!

We do not wish to deprive anyone the right to develop his or her property. We merely seek to protect our neighborhood's quality of life that was first established in 1960 and again in 1996. **Our rights are being violated.** Let's remember that in 1960, when Apple d'Or was an approved subdivision, there was no Nagog Woods, Condominiums, businesses, or Mall.

The State of MA, MA DEVELOPMENT, was wrong for approving this project. Thanks for listening to me and I plead with you to turn this project down.

Most sincerely,
Nancy & Jim Levine





April 29, 1996

The Commonwealth of Massachusetts

William Francis Galvin, Secretary of the Commonwealth

Massachusetts Historical Commission

Secretary Trudy Cox
Executive Office of Environmental Affairs
100 Cambridge Street
Boston, MA 02202

ATTN: MEPA Unit

RE: Apple D'Or Farms, Littleton, MA. MHC #16956. EOE #10677.

Dear Secretary Cox:

Staff of the Massachusetts Historical Commission have reviewed the Environmental Notification Form for the proposed project referenced above, and attended the on-site consultation meeting on April 26, to discuss the project. As my staff indicated during this meeting, MHC encourages the project proponent to address the effects of the project on significant historic and archaeological resources through consultation with the MHC.

Portions of the project area are considered to possess a strong likelihood for containing significant archaeological deposits. Since the area has not been systematically examined by archaeologists, no archaeological sites have yet been recorded within the project. In New England, archaeological sites are usually buried in the soil and thus require systematic test excavations to be identified. The archaeological sensitivity of the project area is principally defined by a diversity of favorable environmental characteristics which includes proximity to wetlands and well-drained sandy soils. Furthermore, review of the Inventory of Historic and Archaeological Assets of the Commonwealth indicates that ancient Native American habitation sites have been discovered in similar environmental contexts nearby. The 17th-century Nashoba Plantation, a local Native American community, was established in this part of Littleton, and it is possible that the project area may contain historic-period Native sites.

MHC recommends that an intensive (locational) archaeological survey (950 CMR 70) be conducted to locate and identify any important archaeological resources which may be affected by the proposed development. The results of the archaeological survey should be taken into account in consulting with the MHC to avoid, minimize, or mitigate adverse effects to significant historic and archaeological resources. The MHC is willing to assist project proponents in developing an appropriate scope for the archaeological survey, which should be conducted under a permit (950 CMR 70) from the State Archaeologist.

These comments are offered to assist in compliance with MGL c. 9, ss. 26-27C and MEPA. If you have any questions, please feel free to contact Edward L. Bell of my staff.

Sincerely,

for: Brona Simon
State Archaeologist
Deputy State Historic Preservation Officer
Massachusetts Historical Commission

cc: Mark T. Donohoe, Land Design Services
Littleton Historical Commission
Paul Stedman, Massachusetts Highway Dept., Dist. 3

220 Morrissey Boulevard, Boston, Massachusetts 02125 • (617) 727-8470
Fax: (617) 727-5128 TDD: 1-800-392-6090



MassWildlife

Commonwealth of Massachusetts

Division of Fisheries & Wildlife

Wayne F. MacCallum, *Director*

March 2, 2011

David Hale
Omni Properties LLC
200 Baker Avenue, Suite 303
Concord MA 01742

Re: 15 Great Road and Durkee Lane
NHESP Tracking Number 07-23061
Littleton, Massachusetts

Dear Mr. Hale:

The Natural Heritage and Endangered Species Program of the Massachusetts Division of Fisheries and Wildlife (the "NHESP") has been reviewing the proposed senior housing project discussed in the Oxbow Associates letter dated March 18, 2008 for potential impacts to the Blue-spotted Salamander (*Ambystoma laterale*). The Blue-spotted Salamander is protected pursuant to the Massachusetts Endangered Species Act (MESA) (M.G.L. c. 131A) and its implementing regulations (321 CMR 10.00).

On 11 January 2011, Misty-Anne Marold of my office met with you and your colleagues to discuss your plans to revive a project on the subject site in Littleton. Based upon your conversation, I understand you intend to:

- 1) Change the proposed use of the site from a senior housing project to a residential project.
- 2) Propose the same development footprint as contemplated by the Oxbow Associates letter dated March 18, 2008.
- 3) Maintain the commitments summarized in our letter dated April 24, 2008.

Based on the information discussed at the meeting, the NHESP can affirm the letter sent to you on April 24, 2008 would apply to the residential project. As we discussed and due to the 2010 revisions to the MESA Regulations, NHESP has adjusted the formula for calculating the necessary "Net Benefit" indicated in Number 3 of the letter. This adjustment will reduce the required "Net Benefit" to 1:1.5 thereby reducing the cost required under Number 3 by roughly 30%.

The NHESP believes that the proposed residential project will qualify for a Conservation & Management Permit with inclusion of the above-noted items. Please note, however, that the NHESP will not render a final decision until a formal MESA Review has been conducted pursuant to 321 CMR 10.20, a formal Conservation & Management Permit Application and fee has been submitted, and the MA Environmental Policy Act (MEPA) review process has been completed.

No work, including soil or vegetation alteration, associated with the Proposed Project may occur until the completion of the MESA review process. Thank you for your efforts to address state-listed species regulatory concerns at this early stage of the permitting process. Please do not hesitate to contact Misty-

www.masswildlife.org

Division of Fisheries and Wildlife

Field Headquarters, One Rabbit Hill Road, Westborough, MA 01581 (508) 389-6300 Fax (508) 389-7890

An Agency of the Department of Fisheries, Wildlife & Environmental Law Enforcement

Anne Marold, Endangered Species Review Biologist, at 508-389-6356 with any questions or comments you may have.

Sincerely,

A handwritten signature in black ink that reads "Thomas W. French". The signature is written in a cursive style with a large, sweeping "T" and a long, horizontal stroke at the end.

Thomas W. French, Ph.D.
Assistant Director

cc: Brian Butler, Oxbow Associates

Town of Littleton
Planning Board

Minutes
May 16, 1996

**PUBLIC HEARING - CITIZEN'S PETITION - GristMill ROAD APPLE D'Or SUBDIVISION -
MODIFICATION/RECISSION.**

Mrs. LaVigne started with a recap of events that transpired in the MEPA?? review and asked the developer if the subdivision would be built as shown on the original plan. David Marsh, one of the developers on the project, said that it would not. Mr. DiCarlo said that no building would be done were modern wetland regulations would not allow it. Mrs. Toohill asked if they still planned to build the roads that would intersect with RT. 2A. Mr. DiCarlo replied that they would. Mrs. Toohill then asked about what they planned to do with Farm Pond. Mr. DiCarlo responded that they would leave the pond in its present natural condition and that any changes would be field changes. Mr. Campbell stated that he thought that the magnitude of the changes represented more than field changes...

Mr. DiCarlo expressed willingness to work with the board and would consider streetlights and sidewalks if board requested it. On the pond the invert on outlet has been built. Mr. Oakland asked about how the drainage would work

Blair McNee of GristMill Road read a prepared statement (attached) asking for rescission of the subdivision and outlined the following changes that have been made to the plan since 1961.

1. Farm Pond - there won't be one as designed on the original plan. Who will own and be responsible for the wetlands in this area upon completion of subdivision.
2. Old Farm Pond Road - some or all will not be built - this is change from original plan.
3. Homes built on RT. 119/2A will have common drives -- this is change from original plan.
4. Potential changes from in curb cut location of Meadow Ridge road digress from original subdivision plan.
5. Frontage on Lot #63 was increased when it was built which was a change from the original subdivision plan.

he went on to request that if the planning board does not rescind the subdivision that the plan be modified to require the proponents to verify the use of current subdivision regulations. Also they requested the opportunity to reopen this petition in the future.

Mrs. Levine of GristMill Road asked Mr. DiCarlo how many homes were planned to be built.

Mr. DiCarlo replied that 60 - 80 depending on wetland issues.

Mrs. Anderson of GristMill Road stated that an ANR to change lots can't be done until the road is accepted. Town Consul clarified this by stating

Mrs. Anderson of GristMill Road stated that since the speed limit on Great rd. is 50 mph where Meadow Ridge Rd will intersect the site distance should be 325 feet.

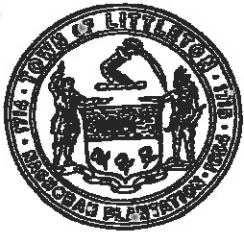
Mr. Mudgett of GristMill Road was concerned that all the trees would be cut down to develop the land and this would both look bad and cause more of a drainage/runoff problem. Mr. DiCarlo

stated that the more trees left in place the more value the developed lots will have. Mr. DiCarlo went on to talk about solving existing problems by controlling water with adequate drainage. Mrs. Levine of GristMill Road asked if Mr. DiCarlo planned to honor all the protective Covenants that go with the property. Mr. DiCarlo replied that he would follow the letter of the law. Mrs. Levine went on to ask Mr. DiCarlo about who would be responsible for any undeveloped land around and including Farm Pond. Mr. DiCarlo stated that as the land owner he would be responsible. Karen O'Neil expressed concern that town water and septic systems would add to drainage problems that existing homeowners on GristMill road are now having. Mr. DiCarlo said that septic systems are built 4' above the water table and don't contribute to runoff and that the drainage has been designed so that no more water flows out post construction than pre-construction. Mrs. Levine of GristMill Road asked how many deep hole tests have been conducted. Mr. DiCarlo -- about 60. Mrs. Levine of GristMill Road asked how much additional water will flow into Westford after development. Mr. DiCarlo -- no more than now.

Board Comments: Mr. Oakland major concern is the 30 year lapse in time since plan approved. Mrs. LaVigne is concerned with Old Farm Road, thought the lot sizes were OK, does not want to see pond excavated recommends modification of original plan. Mr. Montanari agrees with modification idea.

Mr. Campbell asked exactly the modification procedure is. Town Consul stated that every change and issue that the Planning Board wants to make must be stated in writing and be very explicit. Mr. Oakland made a motion to continue the public hearing until June 6, 1996 and was seconded by Mr. Montanari and voted unanimously upon.

Mrs. Levine of GristMill Road granted an extension of her groups petition to rescind.



PLANNING BOARD

P.O. Box 1305
Littleton, Massachusetts 01460

**AMENDMENT TO
CERTIFICATE OF APPROVAL FOR RED-LINE REVISIONS OF A
DEFINITIVE SUBDIVISION PLAN
January 30, 2003**

APPLICATION:

AMENDMENT TO DEFINITIVE SUBDIVISION
APPROVAL
Apple D'Or Phase 1 Definitive Subdivision

OWNERS:

Littleton Land Corp
400 Crown Colony Drive
Quincy, MA 02169

and

OHC Development LLC
PO Box 1034
Littleton, MA 01460

DATES OF LEGAL NOTICES:

December 26, 2002 and January 2, 2003

DATES OF HEARING:

January 16 and 30, 2003

MEMBERS PRESENT:

Steve Wheaton, Mark Johanson, Mark Montanari,
and David Campbell

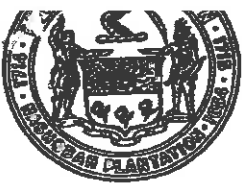
REFERENCE PLANS: "Apple D'Or Farms Redline Revision" dated August 27, 1997
by J. D. Marquedant for E. J. DiCarlo

The Littleton Planning Board held a public hearing on the above dates to consider amending a Definitive Open Space Subdivision according to Chapter 40, Section 6 and Chapter 41, Section 81S MGL and the Code of the Town of Littleton Zoning, Sections 173-93 through 173-118.

Pursuant to G. L. c. 41, Section 81U, the Littleton Planning Board hereby amends its Certificate of Approval dated August 28, 1997, as amended August 26, 1999, for the Apple D'Or Phase 1 Definitive Subdivision Plan, that the following conditions of this extension shall be added after subparagraph C. of the approval:

D. All installation of the road and all municipal services shall be completed in accordance with the Town's inspectors, the prior approvals and applicable rules and regulations of the Board on or before July 31, 2003.

E. Primary access for construction equipment and vehicles shall be directly from Route 2A/119, not via the "old" portion of Grist Mill Road.



F. Cellar elevations shall be no lower than 208 feet for the following lots: 16, 97, 98, 101, 102, 103, 104, 105,

G. No lot on Grist Mill Road will be used for access to possible future development on adjacent parcels (Assessor's Map U-1, Parcels 2, 3, 4, 5, 6, 7, 8, and/or 9). This condition is not meant to impact the proposed Shared Residential Driveway that might serve Lots 17A, 18A and 19A.

H. Best Management Practices for erosion control must be utilized for subdivision infrastructure construction and for construction on each lot.

I. Any lots not built on at the time of substantial completion of the Subdivision shall be cleaned of all construction debris and regraded to the reasonable satisfaction of the Planning Board.

J. The attached bond schedule shall be used for completion of the subdivision.

K. There will be a separate bonding agreement for ongoing construction of the houses on the lots within the subdivision to cover possible damage to the subdivision infrastructure due to development on the remaining lots; and

L. In accordance with Section 249-89H., the Developer shall cover the Town's costs of all necessary roadway, drainage, and other construction inspections.

The Board voted 4 to 0 to amend the Apple D'Or Phase 1 Definitive Subdivision Plan with the above conditions.

Appeals, if any, shall be made pursuant to Section 17 of Chapter 40A, Massachusetts G.L., and shall be filed within 20 days after the date this decision is filed with Town Clerk.

Signed:


Mark Montanari, Clerk

Date Filed with Town Clerk: February 7, 2003


Asst Town Clerk

**TOWN OF LITTLETON
PLANNING BOARD**

DRAFT

**MINUTES OF PUBLIC HEARING
APPLE D'OR DEFINITIVE SUBDIVISION
RESCISSION/MODIFICATION**

THURSDAY, MARCH 14, 1996

MEMBERS PRESENT: Janet LaVigne, Chairman; Maren Toohill, Vice Chairman; Mark Montanari, Clerk; Bill Oakland, and David Campbell, members

MEMBERS ABSENT: None

The hearing opened at 7:30 p.m. with the reading of the legal notice. Mrs. LaVigne informed those present that this hearing was being recorded by a court stenographer and that the Planning Board was also recording the hearing.

Nancy Levine of Grist Mill Road was present along with residents who are the petitioner. Mrs. Levine requested if she could relay a message to the Planning Board from Jeff Chelgren, Planner for the Town of Westford. Mrs. LaVigne said that if it was germane to the petition that it was fine. Mrs. Levine said that Mr. Chelgren is very concerned with the Vinebrook Wells located in the Westford area near this site. An aerial map dated 1991 that Mrs. Levine said the Board should look at to see the Vinebrook. She said that the drainage that is going to come from Fort Pond goes under the road and down in the back into Westford. Now Westford has their wells right about here. This is all open space that is owned by Vinebrook property owners. They have cluster zoning and this is their open space. This is the map from the Commonwealth of Massachusetts before Vinebrook was built and it says "Map showing areas favorable for

3-14-96

groundwater resources and this part penciled in pink is where the Vinebrook wells are. The Westford Planning Board needs to have the flows analyzed. They want the historic flows maintained and need to know the rate and volume of the drainage. They would like to know what the consultant for the Conservation Commission has to say regarding their investigation also. Westford would like their own engineer to review the Grist Mill Road drainage near Westford. They would also like a ruling from the Massachusetts Attorney General regarding the "Grandfather Clause". We would like the Planning Board to contact the Massachusetts Attorney questioning the legality of the "Grandfather Clause" because it is so old, and there has been no input from the abutters in the past. Now when we signed this petition, the last paragraph we feel is the most important, the undersigned does not wish to deprive anyone of the right to develop his or her property They merely seek to protect their neighborhood quality of life that they have established in the nearly 35 years since those plans were approved. Thirty-five years ago we thought this "development" was "the development". We didn't know it was going to take 35 years to complete it. I would like to go back just a little, again not to read everything but the part related to the petition. When the subdivision was approved there was no Nagog Woods Condominiums, Nagog Woods Mall, nor the Nashoba Valley Ski area, nor was there Route 495 that was open to the Town for gas and food. Thirty-five years bring many changes and the approval shouldn't be relevant now. When the original plan was approved there was one parcel to be developed. Now on this plan we talk about crowded schools, police, fire, sanitation, which all..... A major concern besides the things we have just mentioned, is traffic and drainage. Traffic is very serious and those of you who travel on Route 2A know what we are talking about. If it is appropriate, I would like to have some other people on the committee address the traffic

and drainage, if that's acceptable. Board agreed. Blair McKee of 38 Grist Mill Road spoke and said that regarding the traffic concerns that they have is the different traffic patterns that might change. One of the concerns is that as traffic increases on Route 2A

(THE REMAINDER OF THIS TAPE WAS UNINTELLIGIBLE)

9#

Jennifer Gibbons

From: Maren Toohill
Sent: Thursday, September 15, 2011 10:31 AM
To: Jennifer Gibbons
Subject: FW: FW: 15 Great Rd.

Jenn – please file this email with the mail to be read into the record. I already forwarded it to Keith letting him know that I forgot to include him in the first forward.

Thanks for your help.

Maren

From: Maren Toohill
Sent: Thursday, September 15, 2011 10:29 AM
To: 'Sherrill Gould'
Subject: RE: FW: 15 Great Rd.

Will do, and thanks.

Maren

From: Sherrill Gould [<mailto:sherryesq@yahoo.com>]
Sent: Thursday, September 15, 2011 10:24 AM
To: Maren Toohill
Subject: Re: FW: 15 Great Rd.

Thank you. It should be filed with the mail to be read into the record. Can you also please pass along to Keith as a courtesy copy since his is following this project closely. s

Sherrill R. Gould
Gould Law Offices
P. O. Box 752 - 311 Great Road
Littleton, Ma 01460
Ph: 978-486-9566
Fax: 978-486-9434
Private: 978-501-2744

--- On Thu, 9/15/11, Maren Toohill <MTtoohill@littletonma.org> wrote:

From: Maren Toohill <MTtoohill@littletonma.org>
Subject: FW: 15 Great Rd.
To: "Edward Marchant" <emarchant@msn.com>, "Tom Harrington" <tom@miyares-harrington.com>
Cc: "Sherrill Gould" <sherryesq@yahoo.com>, "Jennifer Gibbons" <JGibbons@littletonma.org>
Date: Thursday, September 15, 2011, 10:04 AM

FYI. Nancy Levine, a neighbor who lives in the "original" part of the Apple D'Or Subdivision wanted to make this information known. Nancy has been an active neighborhood voice for this area of Town for many years.

Maren

From: Maren Toohill
Sent: Thursday, September 15, 2011 10:02 AM
To: 'PNLGMR@aol.com'
Subject: RE: 15 Great Rd.

Thanks for the information, Nancy. Lot 56A is an approved lot in an approved subdivision, and it is interesting to know that it did have an approved septic permit. I'll share this information with the Appeals Board, with Town Counsel, and with Ed Marchant, the consultant the Town is using to assist with the review of the 15 Great Road application. I don't know how to answer your question on whether it is pertinent, but I'm happy to pass that information along.

Thanks again.

Maren

From: PNLGMR@aol.com [<mailto:PNLGMR@aol.com>]
Sent: Thursday, September 15, 2011 9:56 AM
To: Maren Toohill
Subject: 15 Great Rd.

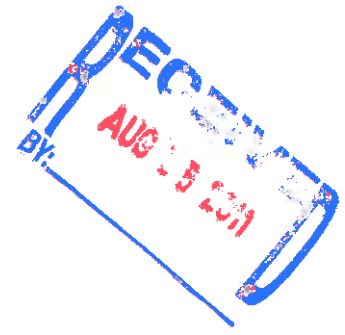
Hi Maren...

I heard back from Jim Garreffti yesterday. He said that lot 56A, Grist Mill Rd., THE LOT IN QUESTION, did have an approved permit for a septic that was valid until this last May. So there were plans for this lot to have a house put on it at one point or another. In your opinion is this information helpful and who should I let know?

Thanks,

Nancy Levine

Littleton Zoning Board of Appeals
Chairperson Sherrill Gould and all members
Littleton Town Hall
Littleton, MA 01460



September 21, 2011

Dear Sherrill and all ZBA Members,

I have previously written to the ZBA (see letter dated August 17) regarding the 15 Great Road Project. And those comments still stand. The best outcome for the town and the abutters, would, in my opinion be an outright denial of this project in total. Especially given the adversarial tone and total disregard for the town and the abutters as shown by all of the Omni partners. But understanding full well that the ZBA may be unwilling or unable to adopt such a stance and make it stick in a court battle sure to follow – as promised by Omnis Mr. David Hale – I would like to address my specific concerns and ZBA action requested in response to the applicants submission of the checklist which occurred on August 18, 2011. I was planning to attend the ZBA meetings in person but the date change to September 27, unfortunately finds me out of town attending a family wedding.

While no citizen input was accepted during that meeting you stated you would accept comments and inputs in the following dimensions. (While I normally try to keep these to 1 page, the fact that the Omni package was 3” thick shows the complexity of this project and thus I am compelled to more clearly and specifically call out my objections and requests).

Health
Safety
Design
Open Space
Environmental
Other

I intend to take them one at a time.

Health:

While I cannot point to a specific individual health issue, save of course for the potential effects of a breach in their 50,000 gallon septic design (which I will cover under environmental issues) and those brought about by requested waivers for “garbage grinders” and the pests they attract, the health of our town is at risk. Littleton has what I believe are solid plans for “smart” and “planned” growth. And in my 28 years in town I have seen, for the most part, sound decisions regarding the projects, and the scope of projects approved. This is NOT one of them. Simply put, a town of Littleton’s size simply cannot react to what will be up to a 10% increase in the town’s population virtually overnight (it took more than 10 years to grow by the previous 10%) and please consider the impact *that* growth has had on town services. I realize certain impacts such as those on schools are not allowed for consideration as REJECTION criteria. But they most certainly are allowed as scoping criteria for determining which variances to grant. In short, we are NOT required to allow Omni to build whatever they want with total disregard for the impact on the health of the town’s economy, services, schools and support systems such as the COA. We should allow that which makes sense to us and deny all others. In essence, please change their math such that instead of badgering us into letting them build what they want, we force them into a situation requiring them to decide if they are happy with the financials and the profits that

result from a scaled down project. In short, new math requires them to look hard at whether or not this project makes sense to them. Please, if nothing else, ***change their math***.

Safety: This is perhaps the greatest factor to be considered in this project. And in fact the concerns surfaced by the projects application may be only the tip of the iceberg since Omni has yet to disclose its plans for the rest of the subdivision. Simply stated, Pandora's Box will be irreparably opened should you approve this project as requested.

1. The traffic added to Great Road has been estimated as at least 1500 car trips per day by the Littleton PD. The primary exit is at a crest in the road, in very close proximity to the lights at Nagog and the east entrance to Grist Mill Road. As one who has to enter and depart this intersection daily, it is already a safety hazard as the speed limit in the area is set at 50MPH. Actual speeds are often much higher as I am sure the LPD records for violations clearly show. These sightlines which I believe may be at or below the state minimums give drivers precious few seconds to make decisions and execute maneuvers. Adding more than 1500 of these decisions DAILY simply magnifies the effect. This could be easily negated if the applicant were forced to seek and pay for access via Nagog Village which is gated for flow and safety by traffic signals. This is an option open to all developers but one for which Omni is not anxious to pursue since it costs money and thus will reduce Omni profits. Their profitability is NOT our concern.
2. Secondary access via Grist Mill does not mitigate the impact, it magnifies it. Because of the items cited above, if access via Grist Mill in any fashion is approved, the safety conscious driver will elect NOT to try and exit on the crest of the hill, but rather through the meandering Apple D'Or neighborhood via Grist Mill, (and potentially Surrey) Roads. This 30MPH zone with limited (or no sidewalks west of Surrey Road) will be but a necessary evil to get from point A to point B resulting in considerable connector traffic on a road that was intentionally designed NOT to do so. I must remind the ZBA that school buses drop our older children off on Great Road meaning that all are required to walk the sidewalk-less roads home. A site visit conducted for State Sen Eldridge and Rep Arciero (attended by Lt Matt King of the LPD) showed the idiocy of this plan as there simply are too many blind corners, with no sidewalks, to safely allow for more traffic on the lower section of GM. I trust during your promised site walk you will see firsthand what I am talking about. I cannot imagine any parent or grandparent not being incensed about the safety issues being thrust upon them. And if, or more specifically when, the unthinkable happens, they will be looking to sue someone for allowing this to occur and the Omni folks will simply say "we only built what we were allowed to build" (that's if they are even still around, but more on that later) **That is why, as a parent, a grandparent and as a citizen of Littleton I am asking you in the strongest possible language, no matter what determination you make with respect to 15 Great Road you MUST deny access of any type to Grist Mill Road and/or force Omni to build a project of sufficient scope such that access via Grist Mill is no longer open to Omni or required (for emergencies) by the LFD.**

Design:

Does Littleton really want "high rise" complexes of any sort? As a long term resident (28+ years) I am not aware of a single incidence of anyone in town or government saying "gee, wouldn't it be nice to add some nice high rise buildings". The fact that Omni lied on their application – stating that the max height would be below 54' when in fact it towers over 70' should be grounds enough for rejecting the project in total. But realistically, we should take the position that "design" includes heights and massing that are consistent with existing town by laws and neighborhoods. And that would suggest heights not to exceed the current tallest buildings in town, which I believe is the IBM building n King Street. That would suggest building designs of no more than 3 floors, or more likely 2

residential floors similar to the other apartment buildings in town. And given that this project abuts single family residences separated in places by mere feet of woodland (which will be bare for 8 months each year) the ZBA should insist on the most conservative interpretation of massing and density since there are no objective state guidelines for doing so (if there were, Mass Dev surely would have had to use them to deny the project).

Open Space:

This is another of those subjective areas where Omni has decided to interpret for us what “open space” means. I do not claim to be an open space expert, but I know it does *not* include parking lots, 50,000 gallon septic systems, buildings and roads placed mere feet from abutting property and clear cutting trees to build apartments. I urge the ZBA to once again use the most conservative formula for assessing the open space requirements here. Use the proximity criteria to guide you. Specifically please consider the impact on the site (we have already reported Bald Eagles on the site as well as the endangered spotted blue salamanders) and require that Omni provide the most stringent open space allowances possible.

What’s more, Omni has totally ignored the town’s requests for open space commitments by ignoring and then circumventing the Planning Board requests as stated in their letter of August 12, 2011.

Environmental:

What would be the environmental impact of a 50,000 gallon septic failing? Especially given that it is up slope from the town or Concord’s water supply at Nagog Pond. I believe the town of Concord raised this very concern in its letter to Mass Dev requesting denial of Omni’s application. Simply put, Concord’s water supply would be irreparably contaminated and the impact on surrounding homes and businesses. Omni’s (legitimate) response to those law suits? “Hey, we just built what was approved”. And once again the town of Littleton will take it on the chin.

Other Concerns:

Here is probably the second most important list (behind safety).

1. **Waivers** - Omni has requested exemptions and waivers for the sole purpose of squeezing in a project that doesn’t fit and adding money to their bottom line. Neither of these should be of concern to the town. Omni has already been granted waivers of fees on their application and is requesting the same for water and electrical connections. I cannot stress enough my personal outrage over this. The cost of large scale development necessarily requires large outlays of investment. It is not the town’s responsibility, nor is it in our best interest to minimize those investments for Omni.

I would like to cite my most recent tax bill. As a 28 year + resident of Littleton I have NEVER been so much as a day late in paying my real estate taxes. But I had a problem this year that forced me to be **3 days late**. I appeared in person at Town Hall to avoid any further lateness on Aug 4 and when told I would have to pay a late fee I too asked for a waiver. It was denied and I waited while the clerk calculated my additional fee to be \$2.88! (Copy attached) Talk about being penny wise and pound foolish! What will my \$2.88 do that we couldn’t put to better use from the thousands for Omni connection and application fees? Our residents deserve better treatment than this. I urge you to deny every single waiver that will save Omni money and serve only to increase their profits. ***Change their math. Please.***

2. **Parking space waivers** – Omni has requested waivers that dictate the number (and size?) of spaces required per residential unit. Why? It’s very simple, the less spaces they have to supply, the more units they can fit on the footprint. These regulations exist for a reason. It’s all so

residents won't be forced to park on the street creating even more of a safety hazard. These should be denied outright. ***Please, change their math.***

3. **Impact on the town water supply** – We are already on FORCED water conservation, due in part to the towns' wells inability to provide sufficient water to its *existing* residents. Both Mr. Danos and the Towns BOS have gone on record as saying that if this project is approved, a new well estimated at \$2m will have to be started immediately. We all recognize that water needs to be conserved, and that eventually organic growth will require a new well, but at least we can plan and budget for it over time. Adding almost 10% to the town's population changes this and requires it be built NOW. I urge the ZBA, that if you approve the project at any scope level, to make Omni 100% responsible for all infrastructure that is required to allow this project to be built today. It's simple; no project no new well. New project, new well. Require those who benefit from the project (Omni) to pay for it. ***Please, change their math.***
4. **Developers' intent** – Omni intentionally and maliciously misled both the town and Mass Dev in its application stating it intended to maintain ownership and manage the property. (they also intentionally lied about the proposed building heights as many have previously pointed out and they promised \$100k to Mass Wildlife for Research in exchange for a waiver concerning blue spotted salamanders back in 2008 which they have not yet paid) However, at a meeting with abutters in April Mr. Hale stated emphatically, *"we are not builders and we are not landlords, we have tried that and it didn't work – it's not what we do. We develop real estate and secure permits then sell those permits to builders and developers"*. Obviously, Mr. Hale lied either on the application or to the abutters. And it can only be one or the other. Though a quick review from available sources shows the former is more likely the case. They have no intention of staying on this project one day longer than necessary to *"flip it"* (Mr. Hales words, not mine) and yet site ownership was enough of a factor in the Mass Dev determination that they specifically called this out as one of their criteria for granting approval. If we cannot trust Omni to be transparent and truthful in such a key parameter, why should we trust them at all? What else is he lying to the town or the abutters about? Setbacks? Planting trees and other barriers? Open space? It takes an awful lot for me to accuse anyone of lying and I take such accusations VERY seriously. But Mr. Hales own words AND actions (not to mention a trail of similar betrayals at Avalon Acton, for which I would suggest you consult with your peers in Acton and Westford for the facts) leave us no choice. He has created this, not us. On the other hand, if Mr. Hale wishes to convince you that he has had a change of heart and wishes to join in partnership with Littleton over the long haul as a landlord, let him prove it by posting a substantial bond that he forfeits should Omni sell the property for ANY REASON in the first 10 years. ***Please, change their math.***
5. **Developers Posture** – While Omni's attorney Mr. Levine has tried to strike a conciliatory note, Mr. Hale's attitude and posture has been nothing short of confrontational. He has been rude and condescending to his abutters, and has shown a wanton disregard for the towns wants and needs. Here are two of the numerous examples

When told of the safety concerns of Grist Mill Road - *"improving town assets is not our problem"*
BOS meeting

When approached by a neighbor from Grist Mill trying to extend an olive branch and understand the need to have the connection to Grist Mill Road. *"Look, I will be happy to have a cup of coffee with you and I know I am pissing you and your neighbors off, but the road IS going in. Period. So you better get used to it"*

That's the attitude of a good neighbor huh? This is the guy who wants to come in and completely change the town or Littleton and his attitude towards the town is *"it's your problem"* and his attitude towards its citizenry is *"get used to it"*? We may not always be able to pick our

development partners, but we can, and ***we must CHANGE THEIR MATH***. Even Mr. Hale is not likely to build a project that doesn't meet his bottom line needs no matter how much he wants to prove to us who the boss is.

Lastly, you mentioned during the checklist meeting that you wanted to have at least one, and perhaps two site walks. I believe this is an absolutely critical step in the process and must be done before any decisions are made. During the Omni hosted visit with Mass Dev they specifically forbid all but elected town officials from the site AND they didn't even allow Mass Dev to visit the abutting neighborhoods to get a grasp on the safety impacts.

Unless one is standing on the main entrance at the Great Road, it is impossible to truly grasp the impact that such a project will have on the safety there, or for residents of Mannion Place and Nagog Road. Unless you stand in one of the abutter's back yard it is impossible to grasp the impact that the proposed development will have on your citizen's property with respect to building placement, parking lots, heights and so forth. And without walking Grist Mill Road it is impossible to get a grasp on the real safety issues posed to the children and grandchildren of residents on Grist Mill by the traffic that will use this road as a connector.

In fact, I am willing to bet that if you were to bring your kids or grandkids on the visit, you would shuffle them back into the safety of the family car within 5 minutes. This is a REAL issue and one that needs to be seen to be understood. Traffic studies deal in statistics and thus while they are important, they are on their own insufficient. This walk will show you the real danger and impact of those statistics that fall under the curve.

In summary, I am asking the ZBA in the strongest possible language to as a minimum re-size this project to reasonable scope, eliminate the access to Grist Mill Rd and while we are at it, let's have Omni turn the lot over to the town so this never has to be fought again, and to change the math as to what Omni is allowed to build and then let them decide whether or not to go forward.

Respectfully Yours,

Mark D. Skillings
30 Surrey Road
Littleton, MA 01460

CC: Littleton Board of Selectmen
Mr. Keith Bergman
Littleton Planning Board

2012 PRELIMINARY REAL ESTATE TAX BILL

Based on assessments as of January 1, 2011 your Real Estate Tax for the fiscal year beginning July 1, 2011 and ending June 30, 2012 on the parcel of Real Estate described below is as follows

**REMIT COPY - Q1
1ST QUARTER**

THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE COLLECTOR OF TAXES
TOWN OF LITTLETON
Tax Collector
Rebecca Jean Quinn

PROPERTY IDENTIFICATION		BILL NUMBER 1451	
Map/Parcel U02-32-76	Book 41568 Page 402 Deed Date 12/08/2003	PAYMENT METHODS 3236	1st Qtr RE Due 08/01/2011 2,499.82
Location 30 SURREY RD		Make check payable to: TOWN OF LITTLETON Send to: PO BOX 1305 Littleton, MA 01460 Pay on line: www.littletonma.org Click on red button OFFICE HOURS Monday - Friday 9.00am to 3.00pm	Current Credits 0.00 Current Outstanding 2,499.82 Balance Due \$2,499.82 <i>Sent</i> 2.88 Amount due <u>\$2,499.82</u> Due and Payable on 08/01/2011 <u>\$ 2,502.70</u>
SKILLINGS MARK D SKILLINGS TERRIE R 30 SURREY RD LITTLETON, MA 01460-		Interest rate of 11% per annum will accrue on overdue payments from the due date until payment is made	

PAID

AUG - 4 2011

TOWN OF LITTLETON

\$2.88 Cash

THIS FORM APPROVED BY THE COMMISSIONER OF REVENUE

#11
Jennifer Gibbons

From: Michelle Barry [history_shell@yahoo.com]
Sent: Wednesday, September 21, 2011 11:47 AM
To: Jennifer Gibbons
Subject: 15 Great Road

Littleton Zoning Board of Appeals

Attn. Jennefer Gibbons Executive Administrative Assistant, Sherrill Gould, Chairperson, Zoning Board of Appeals
Littleton, MA 01460

Dear Ms. Gibbons and Ms. Gould ,

I kindly request that a copy of this letter be made available to each member of the Zoning Board of Appeals for the September 27, 2011 meeting which will discuss 15 Great Road Comprehensive Permit application.

I reside in the neighborhood abutting the proposed property/road and request that you reject the application connecting Route 119 and Grist Mill Road for the following reasons:

1. Safety. I have great concern about the insufficient line of sight at the proposed intersection of the new road and Route 119. There are already turn difficulty issues near this location and I believe the number of accidents would increase. Has an independent traffic study been completed during multiple times of the year across all affected roads?
2. Connecting this new street to Grist Mill Road will add too much traffic to the existing street, which is NOT a collector road. Grist Mill is currently home to many families with small children, mine being one of them. I have a three year old son and a 5 year old daughter.
3. The 28 Waivers requested by 15 Great Road, ranging from avoiding making submittals to the Planning Board to extensive parking waivers to a categorical disregard for the local wetlands regulations, concerns me. I suggest the Zoning Board of Appeals reviews each waiver request.
4. The proposed road could be rerouted to be considerate of the abutters and relative proximity to existing homes.
5. From a heritage perspective, does Littleton want this building to be the tallest in the town by 20 feet? As a resident I do not want this to be the case.
6. Open items from the Planning Board have not been addressed (e.g. Open Area Plan) and have been ignored by the applicant, as stated in their own letter dated 8/12/11. This does not demonstrate good faith.
7. A number of additional items identified in the Board of Selectmen's letter addressing issues such as: Portable Water Capacity, School, Heritage issues are also a concern and should be investigated and considered thoughtfully.

Please make this e-mail available to the entire board:

Sherrill Gould, Chairman, 2013
Bill Farnsworth, Vice-Chairman, 2013

Jeff Yates, Clerk, 2014
John Cantino, Assistant Clerk, 2014
Cheryl Hollinger, Member, 2012
Rod Stewart, Alternate, 2013
Marc Saucier, Alternate, 2013
Alan Bell, Alternate, 2013
Patrick Joyce, Alternate, 2014

While I have many more concerns these are my primary ones. I plan to attend the recently rescheduled meeting on September 27, 2011, and will see you there if you would like to ask me any questions.

Sincerely,

Michelle Barry
65 Grist Mill Road

Jennifer Gibbons

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Sent: Wednesday, September 21, 2011 11:47 AM
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Bill Farnsworth, Vice-Chairman, 2013

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John Cantino, Assistant Clerk, 2014
Cheryl Hollinger, Member, 2012
Rod Stewart, Alternate, 2013
Marc Saucier, Alternate, 2013
Alan Bell, Alternate, 2013
Patrick Joyce, Alternate, 2014

While I have many more concerns these are my primary ones. I plan to attend the recently rescheduled meeting on September 27, 2011, and will see you there if you would like to ask me any questions.

Sincerely,

Michelle Barry
65 Grist Mill Road

#12

Jennifer Gibbons

From: Andrew Xiang [xiang@xphotonics.com]
Sent: Wednesday, September 21, 2011 11:49 AM
To: Jennifer Gibbons
Subject: 15 Great Rd Project Ojbection
Attachments: Littleton Zoning Board of Appeals.doc; Littleton Zoning Board of Appeals.rtf

Letter also attached as word/rtf format.

Littleton Zoning Board of Appeals
Attn. Jennifer Gibbons, Sherrill Gould
Littleton, MA 01460

Dear Ms Gould and Ms. Gibbons

I would like to request copy of this letter be made available to each member of the Zoning Board of Appeals for the 9/27/2011 meeting and the 15 Great Road Comprehensive Permit application discussion.

I live on Surrey Rd and am greatly concerned about the proposed property/road and request that you reject the application for the following reasons:

1. Grist Mill and Surrey Rd were not built to handle that heavy traffic estimated by Littleton Police. Please see the picture below, note in the red circle is a 90 degree turn and the road is very narrow. Because of the 90 degree turn, there are blind spots and we have to be extra careful maneuvering the corner. It was originally designed for 4-5 families living on this dead-end road before the AppleDor Project. There are small children living in the houses along the road and it is very unsafe for them. With the heavy increase of the traffic, and people living in apartment complexes tend to be more transitory in nature, the likelihood of accident will increase. Or the probability of a small children get run over by a vehicle will increase because of the sharp turn.



2. By looking at the map, it makes no common sense by putting a massive project at a location without access road. A project this size should have its own access roads. Grist Mill road and Surrey road are not designed to handle traffic for a major complex like this.

3. To have the tallest building in Littleton at this location is not aesthetically appealing from the town planning perspective.

Please make this e-mail available to the entire board:

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Bill Farnsworth, vice-chairman 2013

Jeff Yates, Clerk

John Cantino, Ast.. Clerk

Cheryl Hollinger, Member

Rod Stewart, Alternate

Marc Saucier, Alternate

Alan Bell, Alternate

Patrick Joyce, Alternate,

I plan to attend the recently rescheduled 9/27/11 meeting and will see you there.

Sincerely,

Andrew Xiang

32 Surrey Rd
Littleton MA 01460